



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161
(305) 899-8000

Mayor and Commission

John R. Hornbuckle
Mayor

Steve Bernard
Vice-Mayor

Robert "Bob" Anderson
Commissioner

Kelly Mallette
Commissioner

Chester H. Morris, M.D.
Commissioner

Frank R. Spence
Village Manager

John J. Hearn
Village Attorney

Ann Harper
Village Clerk

AGENDA

REGULAR COMMISSION MEETING

Ed Burke Recreation Center – 11400 NE 9th Court

Tuesday, January 8, 2008 - 7:00 pm

Rescheduled from January 1, 2008

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS RELATED TO AGENDA ITEMS

1. PRESENTATIONS

2. ADDITIONS, DELETIONS OR WITHDRAWALS TO AGENDA

3. CONSENT AGENDA (Motion to be made for all as one or remove for discussion) Tab #3

A. Approval of Minutes

(1) Regular Meeting – November 6, 2007
December 11, 2007

(2) Special Meeting - November 27, 2007
December 18, 2007

B. Approval of Monthly Budget to Actual Statement November 2007

4. ORDINANCES – FIRST READING – None

5. PUBLIC HEARINGS – TAB #5

A. Presentation of Village entry sign design finalists

1. Recommendation of Entry Sign Committee

B. SECOND READING OF ORDINANCES - None

Village of Biscayne Park - Agenda

5. C. VARIANCES

(1) Catherine Brajdic , 890 NE 117th Street, requests a variance to install a six foot (6') wood fence on a portion of the property line on a corner lot where the code does not permit installation. (Planning & Zoning Board recommended approval on 10/22/07.)

(2) Diego Morales, 11805 NE 11th Avenue, requests a variance to install a six foot (6') wood fence on a portion of the property line on a corner lot where the code does not permit installation. (Planning & Zoning Board recommended approval on 9/10/07.)

6. OLD BUSINESS – TAB #6

TBS

- A. Consideration of continuing Ordinance 2006-13, Landlord Permits, which by motion is scheduled to "sunset" in February 2008**
- B. Appointment of replacement for Lisa Peterson on the Parks & Parkways Board (Vice-Mayor Bernard's appointment)**
- C. Discussion of special water assessment charged to Village residents by the City of North Miami (Commissioner Bernard)**

7. RESOLUTIONS - none

8. NEW BUSINESS – TAB #8

- A. Consideration of creating a citizen's committee to review the Code of Ordinances (Vice-Mayor Bernard)**
- B. Consideration of transferring \$356,000 of County Committed General Obligation Bond (GOB) money from a new Village Hall to build a new Public Works facility (Commissioner Morris and Vice-Mayor Bernard)**
- C. Recommendation to assign the N. E. 6th Avenue Beautification Project to the Parks & Parkways Board (Commissioner Morris)**
- D. Consideration of hiring an additional Police Officer (Vice-Mayor Bernard)**
- E. Status of having a dog park (Commissioner Morris)**
- F. Request approval to renovate prisoner processing area in Village Hall using Federal Forfeiture Funds (includes Certificate of availability of funds)**

9. GOOD AND WELFARE (PUBLIC)

10. REPORTS – TAB #10

- A. Committee Reports**
 - 1. Star gazing Group – Brett Shinn**

Village of Biscayne Park - Agenda

10. B. Village Attorney Comments

C. Village Manager Comments

- 1. Report from Police Chief Glansberg**
- 2. New Water Restrictions effective January 15, 2008**

D. Commission Comments

- 1. Commissioner Anderson**
- 2. Commissioner Mallette**
- 3. Commissioner Morris**
- 4. Vice-Mayor Bernard**
- 5. Mayor Hornbuckle**

11. ANNOUNCEMENTS - All public meetings are held at the Ed Burke Recreation Center 11400 NE 9th Court

- | | |
|------------------------|---|
| * Wednesday, January 9 | Parks & Parkways Board at 6:30 pm |
| * Monday, January 14 | Planning and Zoning Board at 6:30 pm |
| * Tuesday, January 15 | Code Enforcement Board at 7:00 pm |
| * Monday, January 21 | All Departments closed for Martin Luther King Jr. Day |
| * Monday, January 28 | Planning and Zoning Board at 6:30 pm |
| * Tuesday, February 5 | Regular Commission Meeting |

12. ADJOURNMENT - NOTE: TBS = To Be Submitted

Visit our website at www.biscayneparkfl.gov

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899-8000 no later than (4) days prior to the proceeding for assistance.

DECORUM

Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



Village of Biscayne Park

MINUTES

REGULAR MEETING

Ed Burke Recreation Center – 11400 NE 9th Court

Tuesday, January 8, 2008 - 7:00 pm

Mayor Hornbuckle called the meeting to order at 7:10 p.m. In addition to Mayor Hornbuckle, present were Commissioners Bob Anderson, Kelly Mallette, Dr. Chester Morris and Vice-Mayor Steve Bernard. Present from Staff were Frank Spence, Village Manager; John Hearn, Village Attorney; Holly Hugdahl, Acting Finance Director; Mitchell Glansberg, Police Chief; Tony Sanchez, Police Captain; Bernard Pratt, Interim Public Works Director; Elisa Tankersley, Recreation Director, and Ann Harper, Village Clerk.

Commissioner Mallette led the Pledge of Allegiance, which was followed by a moment of silence in memory of Claudina Delville, who passed away on December 24, and James Walker, Police Detective from North Miami Beach who was killed last night.

Mayor Hornbuckle announced that the public could now speak on any of the agenda items. The following residents spoke in support of the agenda item 8D, hiring of an additional Police officer:

1. Jim Smith, 11633 NE 11th Place
2. Roxanne Ross, 11166 Griffing Blvd.
3. Millie Di Santi, 701 NE 119th Street
4. Andrew Olis, 11935 NE 5th Avenue
5. Lisa Peterson, 11926 Griffing Blvd.
6. Ray Dorta, 685 NE 116th Street
7. Dan Keys, 1105 NE 117th Street
8. Ray Salas, 789 NE 120th Street
9. Steve Taylor, 11302 NE 10th Street
10. Jessie Stebenne, 11605 Griffing Blvd.
11. Charles Ross, 11166 Griffing Blvd.
12. Art Torano, 11520 Griffing Blvd.
13. Dan Rodriguez, 890 NE 113th Street
14. Deedee Vasquez, 823 NE 107th Street
15. Arthur Ehrhardt 11345 NE 9th Court
16. Audra Bowers, NE 10th Street
17. Marie Smith, 12015 Griffing Blvd.

1. PRESENTATIONS – None

2. ADDITIONS, DELETIONS OR WITHDRAWALS TO AGENDA

Mayor Hornbuckle moved Agenda item 8D to the top of the agenda and said this is a highly charged and emotional issue and said to keep that in mind.

8. NEW BUSINESS – TAB #8

D. Consideration of hiring an additional Police Officer (Vice-Mayor Bernard)

Vice-Mayor Bernard thanked the residents for coming to the meeting. He said there is a deficiency in the number of officers, and the Chief has been trying to fix the problem. The "overtime" funds will be spent in the next six months.

Vice-Mayor Bernard said the motion is to move ahead and hire an additional officer today. We agree that the funds will be made available. We put in the motion to hire him, and when he comes in, we pay him. That's the motion. The additional officer is for traffic only.

Commissioner Mallette said she wants to "go back to where we were." She asked Chief Glansberg whether or not it was logistically possible to have one Officer dedicated to traffic enforcement. We have more Officers than we have ever had, and if it's not working, the answer is not hiring another Officer. Let's make the Chief and the Manager responsible for performance.

Commissioner Anderson agreed with Commissioner Mallette. Let's get our force where it needs to be. Adding more to a broken pile doesn't fix anything. We need competent people.

Mayor Hornbuckle said we should ask the Manager and Chief what would it cost us in manpower to have a better than adequate Police force.

Vice-Mayor Bernard said he would like for the Chief to come back at the next meeting with numbers, such as "eleven is fine; twelve is better." And the extra Officer is not the only Officer doing traffic; he is dedicated to doing traffic and we still have twelve Officers doing the patrols and same enforcing that we have been doing.

Mayor Hornbuckle said it is not our job to come up with the actual details.

Vice-Mayor Bernard said he would change the motion to set policy to have a superior Police Officer come in with a superior force and augment an adequate force. It was changed to "let's have an adequate Police force plus one so it's superior." Commissioner Morris seconded the motion.

Commissioner Mallette said no one has explained why another Officer is necessary.

Mayor Hornbuckle called for a vote on the motion, which failed with Commissioners Anderson and Mallette and Mayor Hornbuckle voting no.

Commissioner Mallette made a motion to have a "superb" Police Force. Commissioner Anderson seconded the motion. Mayor Hornbuckle called for a voice vote on the motion, which carried 4/1 with Commissioner Bernard voting no.

Vice-Mayor Bernard said he thinks Staff will come back with a report saying "here's the full force and here's what an extra dedicated traffic officer will do and here's what it will cost."

Commissioner Mallette said her motion was for Staff to come back with a plan to tell the Commission what is needed in order to have a high-performance Police force. Commissioner Anderson said that is the motion he seconded and voted on.

Mayor Hornbuckle said the plan will be on the February agenda.

3. CONSENT AGENDA (Motion to be made for all as one or remove for discussion) Tab #3

A. Approval of Minutes

- (1) Regular Meeting – November 6, 2007
December 11, 2007**
- (2) Special Meeting - November 27, 2007
December 18, 2007**

Motion was made by Commissioner Morris, seconded by Commissioner Anderson, to approve the minutes. The motion carried by voice vote, 5/0.

B. Approval of Monthly Budget to Actual Statement November 20

Motion was made by Commissioner Anderson, seconded by Commissioner Mallette, to approve the Financial Statements. The motion carried by voice vote, 5/0.

4. ORDINANCES – FIRST READING – None

5. PUBLIC HEARINGS

A. Presentation of Village entry sign design finalists

1. Recommendation of Entry Sign Committee

Mayor Hornbuckle said selection of an entry sign has been an ongoing process and we are finally at the point where we have an actual design which will be presented tonight. Mayor Hornbuckle said he is excited and happy about the design they are presenting. He introduced Barry Miller and Pierre Rousse from Savino/Miller Design Studio. Mr. Miller displayed and described the design selected for the sign and said the planting design would be discussed later.

Mayor Hornbuckle opened the meeting for comments from the public. The following people spoke about the proposed sign:

Steve Taylor said the "v" in Village should be capitalized.

Judi Hamelburg spoke in favor of the sign.

Ray Salas said he was speaking for his wife and said the sign was "too industrial."

Dan Keys said he likes the sign but the nearby phone pole should be moved.

Gary Kuhl commended Mr. Miller for the design and said the estimated cost of \$38,000 should not be a deterrent.

Sira Ramos said the Village should go forward with installing the sign.

Motion was made by Commissioner Morris, seconded by Commissioner Anderson, to approve the selection of option 1 for the entrance sign. *(Attached to minutes)*

Commissioner Anderson suggested that people should be allowed to donate to the cost of the sign, and the donation should be tax deductible.

Commissioner Morris said all of the Commissioners for the past ten years owe residents an apology for taking so long to get a sign selected and built.

Mayor Hornbuckle called for a voice vote on the motion which carried, 5/0.

Mr. Spence reviewed funding sources for construction of the sign and said we are short about seven thousand dollars. He said Mr. Miller will draw up specifications and then go out to bid. Commissioner Mallette offered to help with raising the seven thousand dollar shortfall.

Attorney Hearn said the Village must get an easement from the Church because they own the property where the sign will be installed.

Motion was made by Commissioner Morris, seconded by Commissioner Mallette, to authorize the Village Manager to proceed with the bidding process. The motion carried by voice vote, 5/0.

B. SECOND READING OF ORDINANCES - None

C. VARIANCES

(1) Catherine Brajdic, 890 NE 117th Street, requests a variance to install a six foot (6') wood fence on a portion of the property line on a corner lot where the code does not permit installation. (Planning & Zoning Board recommended approval on 10/22/07.)

Attorney Hearn read the variance request and said this is a quasi judicial hearing, and those giving testimony and evidence will be sworn in. He noted there may already be an encroachment on the house which was probably built in the 1940's or 1950's. There is a 10' street-side setback where there should be a 30' setback. He requested that (1) before the Planning & Zoning Board considers an item, he would like to see it, and (2) he would like to see the actual format which is submitted to the Board. He suggested that if the applicant would like to go forward on the fence part of the variance request, it should be conditioned on the applicant coming back for the existing setback to be addressed.

The applicant said he would move forward with the variance request for the fence. Attorney Hearn swore in the witnesses. Catherine Brajdic explained the reasons for her request to install a fence on her property. Commissioners Morris and Anderson and Vice-Mayor Bernard expressed concerns about the fence location she is requesting.

After further discussion, motion was made by Commissioner Anderson, seconded by Vice-Mayor Bernard, to defer to the meeting on February 5th, 2008, along with solving the issue of the setback of the house. The motion carried by voice vote, 5/0.

(2) Diego Morales, 11805 NE 11th Avenue, requests a variance to install a six foot (6') wood fence on a portion of the property line on a corner lot where the code does not permit installation. (Planning & Zoning Board recommended approval on 9/10/07.)

Attorney Hearn read the title of the variance and swore in the people who will be giving testimony. Mr. Morales explained the reasons for requesting approval for installing a fence in a location not permitted by code.

Gage Hartung, Chairman of Planning & Zoning Board, said there was a deteriorated four-foot fence in place, which was replaced with a six-foot fence, and the Board approved the request because without the fence, he could not use his back yard.

Dan Keys spoke against approving the variance.

In response to Commissioner Anderson's question, Sira Ramos, Code Enforcement Officer, said a four-foot fence is the minimum height required for a pool. The fence installers were working without a permit, and three official notices to stop working on the fence were issued. The fence is installed and has deteriorated, so it was not put up properly.

Attorney Hearn said once the fence is removed, the owner is required to follow Village rules and regulations.

Motion was made by Commissioner Mallette to approve the variance providing he brings the fence up to code and all appropriate fees are paid. Commissioner Anderson said he would second the motion if it would include that it is completed up to code, all fees are paid and all inspections are made. Attorney Hearn said the motion should be clarified to state that the provision to bring it up to code as determined by the sole discretion of the Village within thirty days, otherwise the variance becomes null and void. The motion passed by roll-call vote, as follows:

AYES: Commissioners Anderson, Mallette, and Morris; Vice-Mayor Bernard, and Mayor Hornbuckle.

NAYS: None.

6. OLD BUSINESS

A. Consideration of continuing Ordinance 2006-13, Landlord Permits, which by motion is scheduled to "sunset" in February 2008

Attorney Hearn said when the Ordinance was passed, a motion was made that it "sunset". The Ordinance can be renewed or repealed.

Sira Ramos, Code Enforcement Officer, said that 71 duplex owners submitted applications, Of the duplexes inspected, only two had serious issues, which are still being worked on with the landlords. One house had been turned into a duplex, and it is being returned to a single family home. Every applicant received a copy of the Village's ordinance and also the Florida Statutes for each tenant. Duplex owners who did not submit applications were cited.

Mr. Spence said this has been a test period, and we need to continue for another one or two years. It was created originally for preservation of the property values in the Village and to stop deterioration caused by rental properties and most often caused by absentee ownership of property.

In response to questions from Vice-Mayor Bernard, Sira Ramos, Code Enforcement Officer, said owner-occupied duplexes are not inspected, and many tenants came to complain about the interior conditions of their rental units, and serious conditions were found inside which were not evident from the outside.

After further discussion, a motion was made by Commissioner Anderson, seconded by Commissioner Morris, that the ordinance not sunset but be left in place. The motion carried by voice vote, 5/0.

Mr. Spence said that an annual report will be presented each January on this program.

B. Appointment of replacement for Lisa Peterson on the Parks & Parkways Board (Vice-Mayor Bernard's appointment)

Vice-Mayor Bernard appointed Steven Taylor to the Parks & Parkways Advisory Board.

C. Discussion of special water assessment charged to Village residents by the City of North Miami (Commissioner Bernard)

Vice-Mayor Bernard said he will have a report after he hears from his contact person at WASA.

Mr. Spence referred to the memorandum in the backup which represents his meeting with Clarence Patterson, North Miami City Manager. **The memorandum is attached to these minutes.** The new water rates have been in effect since October 1, 2007, and our residents will receive their first quarterly bills in January 2008.

7. RESOLUTIONS - none

8. NEW BUSINESS – TAB #8

A. Consideration of creating a citizen's committee to review the Code of Ordinances (Vice-Mayor Bernard)

Mr. Spence said that Municipal Code will complete the recodification project in one to two months.

Vice-Mayor Bernard said now is the time to look at starting a committee.

Commissioner Anderson said there are already residents serving on the Code Enforcement Board and the Planning and Zoning Board. These Board members have been working with the Code of Ordinances and are well aware of what should be in the code, and they should be on the review committee.

Commissioner Morris agreed with using members of the Planning and Zoning Board and the Code Enforcement Board and suggested they meet often like the Charter Review Committee, which had frequent meetings.

Commissioner Mallette said she did not understand why the committee would review the code page by page rather than by issues. She suggested the staff and Commissioners make a list of code sections they think need review and revision.

Mayor Hornbuckle agreed that it would be a good idea for the committee to start out with a list of major issues compiled from suggestions made by staff and the Commissioners.

Commissioner Anderson said he is not sure that going page by page through the Code is a good idea.

Mayor Hornbuckle said the Commission consensus is that the Commissioners, members of the Planning & Zoning Board and Code Enforcement Board are to make a list of concerns and forward them to the Manager. A Committee can be discussed next month if there appears to be a lot of items that should be reviewed.

B. Consideration of transferring \$356,000 of County Committed General Obligation Bond (GOB) money from a new Village Hall to build a new Public Works facility (Commissioner Morris and Vice-Mayor Bernard)

Mr. Spence said Dade County sold General Obligation Bonds for a number of projects, and the proceeds were to be distributed among various cities. The Village was allocated \$360,000 and has been carried on the books, because at that time it was designated for a new Village hall. It has been carried over on the books because we have not been able to come up with any additional money to move forward with it. If we delay making a commitment, the County will take back the funds. It appears that this amount of money, plus a little more, would be sufficient to build a new Public Works facility. The current facility, a trailer, is deteriorating. Both Commissioner Morris and Vice-Mayor Bernard have expressed an interest in this project. Mr. Spence said the Commission must give direction as to whether or not to move forward with this project.

Commissioner Morris said he was Public Works Commissioner, and this facility is needed. He outlined problems that would be encountered if the site were moved out of the Village, including obtaining the land, security problems, and travel time to and from the site. He recommended that the money be transferred and bids be obtained.

Commissioner Anderson agreed and said the existing plans created by the Public Works Committee should be considered.

Commissioner Mallette said she would support the project if we exhausted all options to move out of the Village. Several months ago she and the Manager met with Sally Heyman and she indicated there was a nearby property which she thought the County could provide to the Village. She said the Village could use the Public Works property as a park, which would be an appropriate use.

Commissioner Morris asked how long are we going to wait to investigate this.

Mr. Spence said it would take a couple months or more to make the necessary contacts for further information about property values, updating of Public Works Committee building plans, and related updates.

C. Recommendation to assign the N. E. 6th Avenue Beautification Project to the Parks & Parkways Board (Commissioner Morris)

Commissioner Morris said now that we have a Parks and Parkways Board, let them bring their suggestions to the Manager so there can be some coordination with the State when they begin making improvements on N. E. 6th Avenue.

D, (Discussed as first item in the meeting)

E. Status of having a dog park (Commissioner Morris)

Commissioner Morris commented that the drainage on the park site has been improved, but it should be treated as a good idea which did not work out, and terminate the project. Commissioner Mallette agreed with Commissioner Morris and said maybe the County can give us some additional nearby land and maybe with funding from a grant we could install landscaping so it could be a passive park rather than leaving it the way it is.

F. Request approval to renovate prisoner processing area in Village Hall using Federal Forfeiture Funds (includes Certificate of availability of funds)

Mr. Spence said we have plans to renovate the area where prisoners are kept. The plans have a cost estimate of \$10,000, which can be funded by using Federal Forfeiture Funds, after the project is put out for bids.

Attorney Hearn said the plans were prepared at no cost by Vice-Mayor Steve Bernard. Mr. Hearn recommended that a "hold harmless" document be prepared for Mr. Bernard.

Motion was made by Commissioner Morris, seconded by Commissioner Anderson, to approve the request to use Forfeiture Funds and also to approve the "hold harmless" agreement for Vice-Mayor Bernard. The motion carried by voice vote, 5/0.

9. GOOD AND WELFARE (PUBLIC)

Dan Keys said that people are placing hedges and plant materials in the right-of-way.

10. REPORTS – TAB #10

A. Committee Reports

1. Star gazing Group – Brett Shinn – no report

B. Village Attorney Comments

Attorney Hearn said that on January 30, at 10:30 am, a decision on the Charter lawsuit will be given.

C. Village Manager Comments

1. Report from Police Chief Glansberg

Chief Glansberg recognized Detective George Mulero for making over forty felony arrests in 2007.

2. New Water Restrictions effective January 15, 2008

Mr. Spence said Phase three water restrictions are more severe than previous ones, and residents will be notified by a flyer. He said that he is working on personnel policies and rules. The newsletter for January is being prepared, and he asked Commissioners to limit their reports to 350 – 400 words. The sidewalk around the Recreation Center was not installed as planned and has already been cracked by heavy vehicles.

D. Commission Comments

- 1. Commissioner Anderson – no comments**
- 2. Commissioner Mallette – no comments**
- 3. Commissioner Morris – no comments**
- 4. Vice-Mayor Bernard – said there will be a Crime Watch Chief's Night Out on January 23rd at 6:30 p.m.**
- 5. Mayor Hornbuckle – no comments**

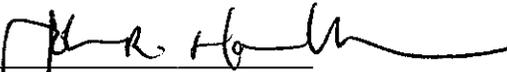
11. ANNOUNCEMENTS - All public meetings are held at the Ed Burke Recreation Center 11400 NE 9th Court

- * **Wednesday, January 16** **Parks & Parkways Board at 6:30 pm**
- * **Monday, January 14** **Planning and Zoning Board at 6:30 pm**
- * **Tuesday, January 15** **Code Enforcement Board at 7:00 pm**
- * **Monday, January 21** **All Departments closed for Martin Luther King Jr. Day**
- * **Monday, January 28** **Planning and Zoning Board at 6:30 pm**
- * **Tuesday, February 5** **Regular Commission Meeting**

There being no further business to come before he Commission, the meeting was adjourned at 11:45 p.m.

Approved by Commission: _____ August 5, 2008 _____

Attest:



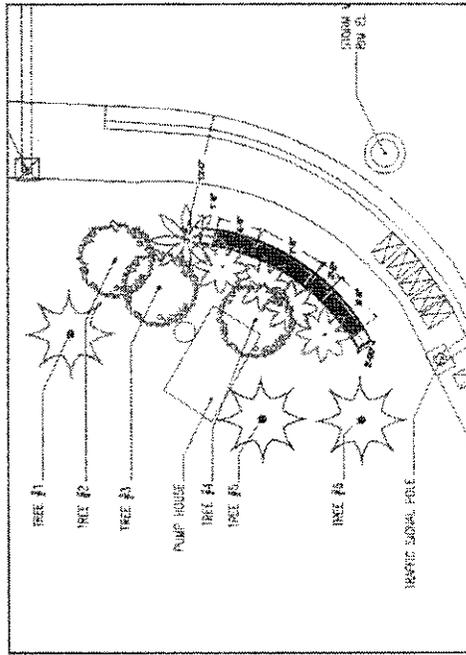
John R. Hornbuckle, Mayor



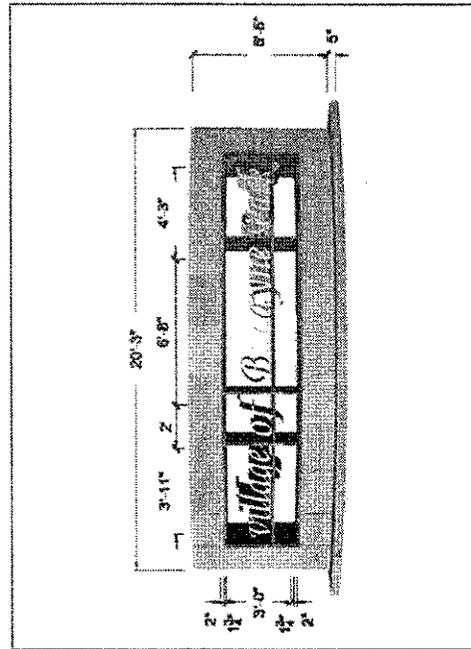
Ann Harper, Village Clerk

VILLAGE OF BISCAZYNE PARK STREET SIGN OPTION 1

savinmiller
 LANDSCAPE ARCHITECTURE • HORTICULTURE • DESIGN • CONSTRUCTION



PLAN VIEW
 NOT TO SCALE



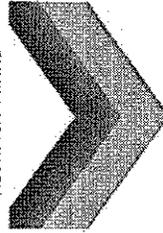
FRONT VIEW
 NOT TO SCALE



CORAL STONE



ALUMINUM FRAME



ELECTRICAL SIGN



SAW PALMETTO



village clerk

From: frspence@bellsouth.net
Sent: Thursday, November 29, 2007 7:24 PM
To: John Hornbuckle; Bob Anderson; Steve Bernard; Kelly Mallette; Chester Morris
Cc: Hearn John; Harper Ann; Spence Frank
Subject: Brief Update

Subject 1. This afternoon I met with North Miami City Manager Clarence Patterson and his staff relative to the Special Capital Assessment that has been levied on all water users to renovate the existing water treatment plant and a new reverse osmosis treatment plant. The SFWMD will not allow them to draw down any more water from the Biscayne Aquifer, so they have to go down deeper to the Florida Aquifer which contains different brackish raw water which requires the new RO process.

North Miami has to purchase water from Miami-Dade County (WASA) for some of their areas. It is their intent to become 100% self sufficient in their water supply and not be forced to buy from WASA any more; thus, the new deeper wells.

They confirmed that they have been charging an IMPACT FEE for water and sewer for years.

They said that every customer did receive adequate and advanced notice of the rate increase and the new assessment charge. A copy is in your box.

The good news: the final approved Capital Assessment Rate for all residential customers was lowered from the original published rate to \$14 per month or \$42 a quarter. There will NOT be a 25% out of city surcharge imposed upon this Assessment. Commercial establishments will be paying even more, much more.

This rate is based on a worst case scenario with no grants figured in as a deductible plus a high end interest rate on the bonds that they intend to sell. With favorable results in the above categories, which are reasonable expectations at this moment, they do expect this rate to be reduced over the next few years.

Oh, and forget about getting water from the County (WASA). Biscayne Park is in New Miami's Service Area and the County will not go into another utilities' service area.

Finally, the rates are in effect now and have been since October 1, 2007. Our residents will receive their first quarterly bill in January.

A bit of history. North Miami was incorporated in 1927. Biscayne Park's land was part of North Miami until we incorporated in 1933. There is speculation that the first water lines may have been install during this time. Which may be the reason no one can find the original service agreement between us.